

United States District Court

Northern District of California

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Northern District of California

1 2 3 4 5 6 7 8 9 10	UNITED STATES OF AMERICA,  Plaintiff,  v.  MILTON GAMEZ FIERRO,  Defendant.	Case No.: CR 12-70449 MAG (KAW)  DETENTION ORDER
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I. DETENTION ORDER

Defendant Milton Gamez Fierro is charged in a criminal complaint with violations of 21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A) (Conspiracy to Distribute and to Possess with the Intent to Distribute 5 Kilograms or More of Cocaine) and 18 U.S.C. § 924(c)(1)(A) (Possession of a Firearm in Furtherance of a Drug Trafficking Crime). At the April 24, 2012 status conference before this Court regarding his detention, Defendant waived the timing of his right to proffer information at a detention hearing, *see* 18 U.S.C. § 3142(f), and also waived findings, thereby retaining his right to raise any additional relevant information at a later hearing. The Court notes that Defendant is subject to an immigration detainer issued by U.S. Immigration and Customs Enforcement (“ICE”).

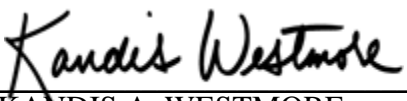
II. CONCLUSION

The Court hereby detains Defendant, but because he has waived his right to present information under 18 U.S.C. § 3142(f) without prejudice to raising relevant information at a later hearing, the Court orders that the hearing may be reopened at Defendant’s request at any future time.

1 Defendant shall remain committed to the custody of the Attorney General for confinement  
2 in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
3 sentences or being held in custody pending appeal. Defendant shall be afforded reasonable  
4 opportunity for private consultation with counsel. On order of a court of the United States or on  
5 request of an attorney for the Government, the person in charge of the corrections facility in  
6 which Defendant is confined shall deliver Defendant to a United States marshal for the purpose of  
7 an appearance in connection with a court proceeding.

8 IT IS SO ORDERED.

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10 Dated: April 24, 2012

  
KANDIS A. WESTMORE  
United States Magistrate Judge

United States District Court

Northern District of California